

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AKIVA ISRAEL,

Plaintiff,

v.

ROBERT NEGRETE,

Defendant.

No. 2:22-cv-1391 TLN CSK P

ORDER AND REVISED SCHEDULING
ORDER

Plaintiff appears pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On November 12, 2025, plaintiff filed a motion to modify the scheduling order, including the discovery deadline. (ECF No. 52). Defendant does not oppose the modification. (ECF No. 53.) As discussed below, the motion to modify the scheduling order is granted.

I. GOVERNING STANDARDS

“The district court is given broad discretion in supervising the pretrial phase of litigation.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that “[a] schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

II. BACKGROUND

On March 31, 2025, the Court issued its discovery and scheduling order. (ECF No. 34.) On July 9, 2025, the Court granted plaintiff's first motion to modify the scheduling order. (ECF No. 41.) The discovery deadline was extended to September 18, 2025, and the pretrial motions deadline was extended to November 17, 2025. (Id.)


Currently, plaintiff's motion to compel discovery and amended motion to issue subpoena are submitted for decision. (ECF Nos. 47, 48.) On November 12, 2025, plaintiff filed the second motion to modify the scheduling order, including the discovery deadline. (ECF No. 52.) On December 12, 2025, defense counsel filed a declaration indicating defendant does not oppose plaintiff's motion to extend discovery deadlines and to modify the scheduling order, and set forth the myriad efforts he and his law firm have had to undertake in order to schedule plaintiff's deposition. (ECF No. 53.) In addition, defense counsel provided a copy of the proposed stipulation to extend the discovery and pretrial motions deadline sent to plaintiff before plaintiff filed the November 12, 2025 motion. (Id. at 6-10.)

III. DISCUSSION

The Court finds good cause to modify the scheduling order and extend the deadlines as requested by the parties. The discovery deadline is extended from September 18, 2025, to March 31, 2026, and the deadline to file all other pretrial motions is extended from November 17, 2025, to May 29, 2026.

Accordingly, IT IS HEREBY ORDERED that plaintiff's second motion to modify the scheduling order (ECF No. 52), and joined by defendant (ECF No. 53), is granted. The discovery deadline is extended to March 31, 2026, and the pretrial motions deadline is extended to May 29, 2026. In all other respects, the March 31, 2025 discovery and scheduling order (ECF No. 34) remains in effect.

Dated: December 15, 2025


CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE